IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 712 of 2006
Date of decision : 27.11.2006.

Haryana State Federation of Consumers Co-op Wholesale Stores (CONFED), Karnal.

.....Petitioner.

Versus

Employees State Insurance Corporation, Faridabad

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Dhiraj Chawla,Advocate
for the petitioner.

Mr. Vikas Suri, Advocate
for the respondent.

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VINOD K. SHARMA,J.(ORAL)

Present revision petition has been filed against the order dated 3.12.2005 passed by the learned trial Court dismissing the application moved by the petitioner under Order 9 Rule 7 C.P.C. for restoration of the suit dismissed in default.

The order dismissing the suit was passed on 8.1.1998 whereas the application qua setting aside the order was filed after ten months of the passing of the order. The petitioner did not place on record the particulars of the date of knowledge to claim that application was within time nor any application was filed for condoning the delay in filing the application. The learned trial Court, therefore, came to the conclusion that there were no

sufficient cause to set aside the order. It further held that the application is barred by time.

There is no error or illegality in the order which may call for interference in exercise of revisional jurisdiction by this Court.

Dismissed.

27.11.2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**